

Message Text

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PAGE 01 STATE 020433
ORIGIN L-03

INFO OCT-01 ARA-06 ISO-00 JUSE-00 CIAE-00 DODE-00 PM-04
H-01 INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 EB-08 OMB-01 TRSE-00 COME-00 SEC-01 SY-05
FBIE-00 SCA-01 /068 R

DRAFTED BY L/ARA:F.WILLIS:JV
APPROVED BY L/ARA:F.WILLIS
ARA/AND/V - T. SONANDRES
JUSTICE - J. KEENEY

-----290124Z 101206 /20

P 282327Z JAN 77
FM SECSTATE WASHDC
TO AMEMBASSY CARACAS PRIORITY

C O N F I D E N T I A L STATE 020433

E.O. 11652: GDS

TAGS: PFOR, PGOV, PINS, VE, US

SUBJECT: BOEING BRIBERY CASE

REF: CARACAS 743

1. QUERO, MORALES GOMEZ AND PINCHESKI MET JANUARY 26
AT DEPT. WITH L/ARA ASSISTANT LEGAL ADVISER WILLIS, SUE
PATTERSON OF ARA/AND/V AND REP. FROM THE SEC. VENEZUELAN
TEAM HAD PRESSED FOR INFORMATION FROM SEC CONCERNING ALLEGED
ILLEGAL PAYOFFS BY BOEING IN VENEZUELA, WHICH SEC RESISTED
IN ABSENCE OF ESTABLISHED PROCEDURES GOVERNING USE OF
CONFIDENTIAL MATERIAL. TEAM WANTED TO KNOW OF PROCEDURES
WE REQUIRE FOR INFORMATION TO BE MADE AVAILABLE TO
VENEZUELAN AUTHORITIES.

2. WE EXPLAINED THAT WE FULLY DESIRE TO ASSIST FOREIGN
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GOVERNMENTS IN THEIR INVESTIGATIVE EFFORTS REGARDING
THESE "ILLEGAL PAYMENTS" CASES, AND WE THEREFORE HAVE
ESTABLISHED A MECHANISM THROUGH THE U.S. DEPT. OF JUSTICE
TO CONCLUDE BILATERAL PROCEDURAL AGREEMENTS FOR EACH CASE
TO GOVERN EXCHANGE OF CONFIDENTIAL INFORMATION. THE
AGREEMENTS ARE BETWEEN JUSTICE AND ITS COUNTERPART IN
THE CONCERNED FOREIGN GOVERNMENT. EACH AGREEMENT IS

CONDITIONED UPON RECIPROCITY AND CONFIDENTIALITY; ALL INFORMATION MUTUALLY EXCHANGED IS RESTRICTED TO THE CONFIDENTIAL USE OF LAW ENFORCEMENT AGENCIES ONLY--UNTIL NEEDED IN THE COURSE OF A PUBLIC TRIAL. THESE RESTRICTIONS ARE FOR THE PURPOSE OF PROTECTING INDIVIDUAL RIGHTS AND THE INTEGRITY OF THE CRIMINAL INVESTIGATIVE AND PROSECUTORIAL PROCESS.

3. WE GAVE OUT COPIES OF OUR AGREEMENT WITH MEXICO COVERING GENERAL AND FIRESTONE TIRE COMPANIES, DONE IN ENGLISH LANGUAGE ONLY, AND SPANISH VERSION OF SIMILAR BUT SLIGHTLY MODIFIED AGREEMENT WITH SPAIN COVERING LOCKHEED. FOR EMBASSY'S INFORMATION WE ARE CABLING MEXICO AGREEMENT BY SEPTTEL, AND WILL AIRPOUCH TO YOU THE SPANISH AGREEMENT.

4. WE INDICATED THAT IN ORDER FOR REQUESTED INFORMATION TO BE PROVIDED, GOV SHOULD REQUEST NEGOTIATIONS BETWEEN OUR RESPECTIVE DEPTS. OF JUSTICE FOR THE CONCLUSION OF A PROCEDURAL AGREEMENT ALONG LINES OF THOSE DISTRIBUTED. SUCH A REQUEST COULD BE MADE INITIALLY THROUGH THE GOV EMBASSY IN WASHINGTON AND SIGNATURE OF AGREEMENT COULD, IF DESIRABLE, BE MADE SUBSEQUENTLY BY GOV AMBASSADOR; HOWEVER, THE DEPT. OF JUSTICE WOULD REQUEST THE PARTICIPATION OF A GOV MINISTRY OF JUSTICE OFFICIAL IN THE ACTUAL NEGOTIATIONS, TO ASSURE THAT BOTH SIDES UNDERSTOOD THE APPLICABLE PROCEDURES IN THE JUDICIAL SYSTEM IN EACH COUNTRY REGARDING CONFIDENTIAL INFORMATION RELATING TO CONFIDENTIAL

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AN ON-GOING INVESTIGATION. AGREEMENTS HAVE BEEN SIGNED BY U.S. IN PAST BY ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION, AND MORE RECENTLY BY JOHN KEENEY, DEPUTY ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION. HIS COUNTERPART IN GOV MINISTRY OF JUSTICE, THAT IS, THE PERSON WITH RESPONSIBILITY FOR JUDICIAL ADMINISTRATION IN GOV, WOULD BE APPROPRIATE PERSON FOR NEGOTIATIONS AND, IF DESIRABLE, SIGNATURE.

5. VENEZUELAN TEAM LEFT WITH AGREEMENTS AND INDICATED THEY WOULD IMMEDIATELY CONTACT GOV EMBASSY FOR AUTHORIZATION TO PROCEED WITH AGREEMENT. THEY HOPED ARRANGEMENTS COULD BE EXPEDITED SO THAT REQUESTED INFORMATION COULD BE RAPIDLY PROVIDED. WE SAID THAT THIS WOULD IN LARGE PART DEPEND ON HOW RAPIDLY GOV COULD MOVE TO AUTHORIZE CONCLUSION OF PROCEDURAL AGREEMENT, BUT JUSTICE WAS PREPARED TO MEET WITH GOV OFFICIALS AT ANY CONVENIENT TIME.

6. FYI. AS PARA 4 WILL INDICATE, THE VENEZUELAN TEAM,

COMPOSED OF INVESTIGATING POLICE OFFICERS, WOULD NOT BE

APPROPRIATE FOR NEGOTIATION AND CONCLUSION OF AGREEMENT.

END FYI.

VANCE

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Message Attributes

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Disposition Comment: 25 YEAR REVIEW
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